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SUBJECT: SUMMARY OF NATIONAL RAPPORTEUR'S THIRD TIP REPORT

REF: (A) THE HAGUE 1803 (B) THE HAGUE 521

1. Summary/Comment: On June 20, Dutch National Rapporteur on Trafficking in Persons (NRM) Dien Korvinus presented the third TIP report to Justice Minister Donner. The 302-page report mainly covers the year 2002 and contains information about laws and regulations, victims, assistance, administrative enforcement, investigations and prosecutions. In addition, the Rapporteur makes 63 conclusions and recommendations. (The Government is currently translating the report into English, but its release date is unknown. We, therefore, offer this detailed - and lengthy - summary in the interim.) Various Ministries are studying the report, conclusions and recommendations. In a letter to the Second Chamber (Lower House) of Parliament submitting this report, Donner said he wants to present a National TIP Action Plan before the end of the year, as recommended by the NRM.

2. The NRM's reports are always helpful because they are the broadest-based, most authoritative and objective source in the Netherlands for TIP information. This report, however, suffers because of the delay in its release (the NRM's last report was issued January 2003) and its reliance on 2002 information. (The Rapporteur's Office hopes to issue a supplemental report containing 2003 statistics by the end of the year.) In some instances, the statistics seem "dated" (we have already reported on many of the 2002 figures) and recommendations have been overtaken by Government/NGO action (for example, movement on changes in the B-9 regulations; improvement of the Ama situation).

Still, the report shows:

- troubling extent of the "loverboy" problem (which the Government has made a top priority in its TIP efforts);
- significant increase in the number of victims identified by the 56 institutions involved with the TIP problem;
- need for credible information on the use of minors in the sex industry (three NGOs are now conducting a study into child labor and prostitution);
- surprisingly low level of apparent criminal trafficking activity in the legal sex trade/brothels;
- increase in the number of investigations completed by the police and referred to the public prosecutors; and
- evidence of significant police, prosecutorial and Government resources to fight TIP.

End Summary/Comment.

3. The NRM TIP report summary:

Law and Regulations

--TIP Legislation

Current Dutch TIP legislation penalizes all forms of organized prostitution involving violence, misuse of power, deception and the exploitation of minors (under 18). The law also punishes people who profit from these circumstances, as well as Dutch nationals and aliens having permanent residence in the Netherlands guilty of sex with minors in foreign countries. On July 1, 2004, the Second Chamber (Lower House) passed legislation (Article 273A in the Penal Code) expanding the definition of people trafficking to all forms of modern slavery (including labor exploitation) and the removal of human organs, and raising penalties commensurate to those for other grave crimes. The bill awaits final approval by the First Chamber (Upper House) (COMMENT: expected by year's end 2004). The Article implements the UN Protocol and the EU Framework Decision on Trafficking in Persons.

--B-9

So far, the B-9 regulation for TIP victims remained unchanged, except for a recent shift of administrative duties from the alien police to the Immigration and Naturalization Service (IND). Nonetheless, changes in B-9 are required for various reasons: (a) the new TIP law expanding the definition to all forms of social-economic exploitation; (b) the EU agreement on allowing TIP victims to work while in the B-9 regulation. (COMMENT: The Government has already acted in this area, recognizing the need for B-9 reform. The Government sponsored an NGO

conference and is drafting new B-9 regulations, expected by year's end 2004).

--Prostitution Policy and Administrative Enforcement
The general ban on brothels was lifted on October 1, 2000. Since then, local governments are responsible for carrying out their local prostitution policies, on the basis of a licensing system. Such licenses include requirements as to location, business operations and a ban on exploiting minors, illegal aliens and TIP victims. On the basis of the Act on the Promotion of Integrity Assessment by Public Administration (BIBOB) of June 2003, local governments can refuse or cancel licenses on suspicion of serious threats of abuse. Under Article 15A of the Municipality Act, civil servants can be assigned to control compliance with the rules for operating brothels as well as to control street prostitution. Most local governments have (also) assigned police officers to do this job. There may be good reasons for this, but it can be confusing in practice, because the police then carry two hats: that of law enforcer and local government supervisor. Simultaneous to the lifting of the ban on brothels, an ID requirement was introduced for prostitutes, which was to control illegal/underage prostitutes. Meanwhile, a bill was adopted introducing a general ID requirement for the entire Dutch population under 14.

--Foreign Prostitutes
The Government's starting-point is that people from non-EU/EEZ countries are not allowed to work in the Dutch sex industry. EU-subjects are in principle allowed to do so. In May 2004, 10 new member-states (many of them are native countries of TIP victims) joined the EU, but the Dutch Government decided to ban people from eight of these countries from working for brothel operators for the time being. They are, however, under certain conditions, allowed to work as self-employed. In addition, on the basis of the Association agreements, the Netherlands, on certain conditions, must allow access of people from future association countries (Bulgaria and Romania) wanting to set up their own sex business. Various NGOs have repeatedly argued for ampler accession possibilities for foreign prostitutes to the Dutch market believing this will make them less dependent on third parties, and thus reduce chances on trafficking.

----- TIP Investigations and Prosecutions -----

Police

In recent policy documents relating to the police, TIP is mentioned explicitly in connection with (investigations of) illegal aliens. The Justice Minister has repeatedly indicated that TIP is a priority for police and prosecutors. One of the priorities of the National Crime Squad (Nationale Recherche - NR - established in July 2003) is combating TIP. The AIVD intelligence service also collects information on TIP if national security is at risk.

In June 1999, the Police Project on Prostitution and TIP (PPM) was initiated to coordinate implementation of Dutch prostitution/TIP policies. One of its initiatives was to begin a TIP training course for criminal investigators at the National Selection and Police Training Center (LSOP). The course includes intake talks, victim/witness interviews, control of sex houses and document identification. The PPM also publishes a periodic Police Monitor giving an overview of the state of play in implementing prostitution/TIP policies. The 2002 PPM report, published in 2003, showed 15 of the 26 police regions (including the KLPD national police) had reached the levels desired at that time. (COMMENT: The 2003 PPM Monitor was published in May 2004. It was not included in this NRM Third TIP Report.)

Within the KLPD's national criminal information service (NRI), the TIP Information Unit (IEM) was set up in mid-2001. The purpose of the IEM is promoting national and international TIP policies and investigations. The IEM registers all available operational information, including the "follow-the-victim" program. In 2002, the IEM handled 85 foreign information requests. In February 2002, the IEM started two-monthly "Operational TIP Consultations (OOM)," during which operational information is exchanged among representatives from the various police regions.

The number of TIP investigations completed by the police and sent to the public prosecutor rose to 55 in 2002 from 48 in 2001 and 25 in 2000. (The provisional estimate for 2003 is 46). Of the 55 cases, 42 related to cross-border and 13 to internal trafficking. The number of TIP investigations depends on the priorities set and capacity made available by the police in a certain region. Some police regions were still lagging behind. Most investigations related to window and club prostitution, but there was growing focus on the escort sector. TIP victims were also found in Turkish

coffeehouses and one massage parlor. Of the 55 investigations, 24% were initiated through private reports to the police, 22% through police controls and 20% through information from other investigations. The police was also tipped via the anonymous crime reporting hotline, which was started in September 2002. From September 2002 through July 2003, there were 64 reports of useful information about people trafficking and smuggling, which is 1% of the total number of tips received via the hotline.

Investigation methods used relatively often in TIP cases are surveillance and telephone tapping. Legal assistance requests are also often made to other countries. Increasing use is made of the computerized TIP information program, because, initially, many victims do not want/dare to press charges. In these cases, incriminatory information is gathered and may be completed later with statements by victim/witness. The investigation process has various obstructing factors, which were already noted in the first NRM report (not always sufficient police capacity, little preparedness by victims to press charges, unattractiveness of B-9 scheme, not enough shelter capacity). In addition, traffickers may benefit from the fact that not all local governments pursue the same prostitution policies, for instance concerning licenses, controls and attention for the phenomenon.

Generally speaking, financial investigations often are considered a side-product in tactical investigations. However, police team leaders reported that 40% of TIP investigations in 2002 related to financial investigations. In almost one-third of investigations, a criminal financial investigation (sfo) was opened, which in at least half of cases resulted in asset seizures. The illegally obtained profits calculated in the police investigations are usually reduced to half by the courts and to 40% in appeal. Total illegally obtained profits for 13 suspects in 2002 were estimated at almost 1.5 million euros, or an average of 115,000 euros per suspect, compared to 210,999 per suspect in 2001. Reasons for not investigating a case from the financial perspective usually were insufficient (estimated) profits or there was nothing to seize from the suspect. In addition, money transfers made it difficult to track down criminal money.

Public Prosecution

The fight against TIP is considered a national priority for the prosecutor's office, mostly in relation to fighting people smuggling. However, the two are increasingly seen as two separate issues, often labeled under the heading of migration crime. For the practical implementation of prosecutorial policies, the national government's 2002 Safety Report forms the guiding principle. The prosecution's long-term plan "Perspective for 2006," which is based on this report, explicitly identified TIP as a special theme requiring intensified criminal enforcement. The National Recherche (National Crime Squad), led on this issue by the national TIP prosecutor, will play an important role in this. It also is the intention that, to combat TIP, particular use will be made of (existing) know-how and information, for instance the reports by the National Rapporteur and of the regional TIP prosecutors. Regular consultations are being held between the Attorney General for Organized Crime, the national TIP prosecutor, and regional TIP prosecutors. Since 2003, the Judicial Study Center (SSR) has been offering special TIP training to regional TIP prosecutors. The prosecution's "policy guideline on TIP and other forms of exploitation in the prostitution sector" of October 2000 will expire in October 2004. It needs to be adjusted in order to meet the new definition in the (draft) law expanding TIP to other forms of social-economic exploitation.

In 2002, the public prosecutor's office registered 201 TIP cases, compared to 130 in 2001 and 138 in 2000. Of these 201 cases, some 13% related to underage victims, down from 21% in 2001 and 27% in 2000. Most cases occurred in the Den Bosch region (33), followed by Amsterdam and Zwolle (24 each), Arnhem (20) and Haarlem (19). A majority of cases related to Articles 250a or 250ter para 2 of the Penal Code (involvement of two or more suspects, underage victims or serious physical injury). The crimes were committed mostly in combination with other offenses, such as offering registered access to undesired aliens, rape, possession of weapons and drugs, and use of false passports.

The public prosecution settled 168 cases in 2002, compared to 160 in 2001 and 94 in 2000. (Note that settlements may have taken place in a later year than the year of registration with the public prosecution.) Of the 168 cases settled by the prosecution in 2002, almost 70% were summoned to appear in court, which was an increase from previous years. The number of cases that were dismissed unconditionally (mostly technical dismissals) and the number of cases in which people were ultimately summoned for

offenses other than TIP appeared to be dropping.

Courts

In 2002, courts handled 94 TIP cases, compared to 85 in each of 2001 and 2000. Of these 94 cases, 89% were convicted and 11% acquitted, about the same percentages as in previous years. The average sentence for cases in which, among other things, TIP was involved in 2002 was more than 21 months. However, the sentence differs per case and depends on proof of other offenses. For instance, if sexual violence was involved, the average sentence was almost three years. The sentences do not seem high, but are commensurate to those for rape.

Suspects

Of the police investigations successfully completed in 2002, 207 suspects were identified, 191 arrested (91%) and 180 suspects (87%) "sent in" to the prosecution. The average age of suspects in 2002 was 31 years, and almost 25% of suspects were female (particularly Nigerian). Almost half of suspects held Dutch nationality, but part of them were born outside the Netherlands. Proportionately, many foreign suspects came from Albania, Bulgaria, former Yugoslavia, Nigeria and Turkey. The number of Albanian and Bulgarian suspects rose strongly in 2002, whereas that of Dutch suspects went down. Almost all suspects born in Morocco and Netherlands Antilles were guilty of internal trafficking. Some 48% of suspects with foreign nationality were residing in the Netherlands illegally.

Of the arrested suspects, about 10% were operating legal and illegal sex clubs or brothels. Police investigations in 2002 showed the number of operators who were knowingly exploiting TIP victims (but not actively involved) was 59%, 39% were ignorant, and 2% were actively engaged in trafficking. In cities with strict licensing systems, operators appeared to be much more afraid for losing their licenses and, therefore, did not like to use (underage) TIP victims. It also appeared that attorneys sometimes had contacted TIP victims to persuade them to withdraw their charges or had benefited from the fact that foreign prostitutes liked to work in the Dutch prostitution sector.

Provisional 2003 figures by the NRM show that 157 suspects were registered with the prosecution's office. Most frequent country of birth: The Netherlands, followed by Romania, Bulgaria, Turkey, (former) Soviet Union, and Suriname.

Trafficking Methods

Research showed TIP victims were recruited abroad and domestically. Recruiters approached most foreign victims, but some victims took their own initiative for recruitment. Most victims left for their new jobs within one week after being recruited, which may be a strategy to give victims little time to consider their decision. Generally, recruiters operating abroad are seldom found or prosecuted because they usually hand off or sell the victim to a pimp who operates locally (and who is easier to find and prosecute). Nonetheless, there appeared to be an increase in investigations of recruiters (including "loverboys") in 2002. This was probably due to the fact that more foreign "loverboys" were identified, who mostly operated both as recruiter and pimp. In two-thirds of investigations victims used valid passports. Visas were less often forged than passports. Moreover, most victims came from non-visa countries. According to the police, false documents were hardly distinguishable from real ones. Police investigations showed that most victims came over land from Germany (67%), and Belgium (12%), and 17% via Schiphol airport. Some 69% of the 55 police investigations in 2002 concerned "loverboy" practices from 29% in 2001. The increase was entirely due to the fact that foreign victims were also increasingly lured into prostitution through these practices.

Criminal Networks

Some 34% of police investigations in 2002 involved criminal networks, 34% "isolated criminal groups," and 32% individuals. This compared to 58%, 17% and 25%, respectively, in 2001. There clearly was a drop in the number of criminal networks, and an increase in isolated groups and individuals, the latter being engaged mostly in domestic trafficking. In the Netherlands, almost all the men and women arrested for TIP violations were engaged in pimping (keeping victims in prostitution), rather than recruiting or transporting. In cross-border trafficking, recruitment was often done by others, who (often) were not found by the police. Within the country, men often were the victims' pimps, whereas women played a supporting role. Men were much more violent toward their victims, but still one-fifth of female suspects were guilty of physical violence.

In 30% of cross-border investigations in the period 1998-2002, facilitators were used for delivery of false documents. The investigations paid too little attention to these facilitators, according to the NRM.

----- Victims -----

The report covers some specific groups of (potential) victims:

Minors -----

It is difficult to get reliable information about child trafficking and underage prostitution. An inquiry by the NRM showed that 85 underage victims contacted relief organizations in 2002. However, the Foundation against Trafficking in Women (STV) registered 41 underage victims in 2002, and the "follow-the-victim" system of the police, which lists possible victims, counted 51 minors. It should be noted that the NRM investigation certainly had some double-counting, while the STV and police tried to avoid this as much as possible. It is generally assumed that the problem is much larger in reality. However, according to the NRM, it is unlikely that police and welfare organizations cannot find underage victims, while clients can. Therefore, the questions has come up whether the (limited) figures available may in fact reflect the actual situation. (COMMENT: Recognizing the lack of specific information on this problem, three NGOs (UNICEF Nederland, ECPAT Nederland and Defense for Children International Nederland) recently announced they were conducting research into the use of minors in the sex industry and labor market. Their first report is expected in December 2004.)

"Loverboy" Victims -----

The "loverboy" method is usually associated with second and third-generation Turkish and Moroccan underage girls living in the Netherlands. However, the method is also used with adult women and in cross-border trafficking. The method is not new, but currently gets much attention. Victims are not only lured into prostitution, but also forced to work as drug couriers, to take out loans or to shoplift. The number of victims is not known. The Child Abuse Reporting Center identified 50 (possible) victims in 2002 and 2003, including two boys, in the 14-16 age group.

Single Underage Asylum Seeker -----

Single underage asylum seekers (Ama's) also run the risk of being brought to the Netherlands under false pretense, or, in a later stage, being lured out of asylum centers to work as prostitutes. The number of these victims is not known. Several "loverboy" projects have identified Ama victims. (COMMENT: Thanks to tighter immigration regulations and controls the inflow of Ama's has dropped significantly. See Reftel B.)

Victim Registration -----

The Foundation against Trafficking in Women (STV) is the central registration point for (possible) TIP victims. Some 56% of reports received in 2002 came from the police. Other sources were relief organizations, private persons, and refugee centers. A new computerized registration system became operational in 2003. (COMMENT: The NRM report only gives complete 2002 figures. It includes some 2003 figures, which we reported our annual TIP report (Reftel B). We have not repeated those 2003 figures here.)

Because of the high mobility of TIP victims, the police have developed the IKP-S "follow-the-victim" system, in which most regional police forces register possible TIP victims. The system includes a list of identification "signals" (a maximum of 10 points per signal). Together the points should give an indication of likely victims. The IKP-S registered 371 (possible) victims in 2002, compared to 343 registered by the STV. The information about countries of origin is similar to STV data: Bulgaria (almost one-third of victims), Romania, Sierra Leone, Poland and Nigeria.

The NRM received reports from 56 institutions indicating they had had contacts with TIP victims in 2002. On the basis of these reports, the NRM has made the following survey (the information is based on a combination of registrations and estimates):

Type of victims -----	Number -----
Foreign women	431
Of whom minors	62
Foreign men	2
Of whom minors	-
Foreign transvestites	12
Of whom minors	-

Dutch women	169
Of whom minors	22
Dutch men	6
Of whom minors	1
Dutch transvestites	5
Of whom minors	-
Total	625
Of whom minors	85

(COMMENT: The STV registered 343 victims in 2002 (and 257 victims in 2003 - figures we used in our annual TIP report because the NRM's figures weren't available). The NRM recognized the discrepancy in the two figures and acknowledged there might be double counts. The difference can also be explained in different methodologies - STV receives victim information from organizations (and not all institutions report TIP victims to the STV) while the NRM seeks out victim information from all relevant sources for its reports. The 2002 number NRM uses more closely corresponds to the number of 2000 TIP victims NRM used (608) than to the STV numbers.)

Victims in Police Investigations

At least 258 TIP victims or witnesses reported to the police in 2002 from 186 in 2001. Of the 258 reports, some 226 concerned cross-border trafficking. About 25% of the investigations (also) concerned underage victims from 38% in 2001. The top-5 originating countries were: Bulgaria, the Netherlands, Poland, Russian Federation and Romania. Most victims are from Central and Eastern Europe.

Victims in B-9

According to registration by the Immigration and Naturalization Service (IND), the number of (first) B-9 requests rose to 160 in 2002 from 145 in 2001 and 77 in 2000. Of these, 127 were granted in 2002 from 122 in 2001 and 45 in 2000. Two-thirds of victims, who were granted B-9, were in the 18-26 age group. About 10% were underage, including some very young children ages 0-10, probably children of victims. Some 4% of the B-9 applicants in 2002 were male, probably mostly children and witnesses. More than 25% of victims/witnesses who received B-9 status in 2002 had Bulgarian nationality. The others were mostly from other Central/East European countries and Nigeria. In 2002, some 81% of requests ultimately honored were dealt with within four weeks, 99% within 12 weeks, and only 1% longer than 24 weeks. The percentage of very slow procedures thus decreased.

Assistance

The NRM report describes a wide variety of assistance program, varying from prevention/information campaigns, to protection and safe return/reintegration programs. The Foundation for Trafficking in Women (STV) is the national reporting point for and registration center of victims. In addition, the STV initiated and coordinated regional networks of organizations, which help and guide victims, and it coordinates La Strada, an international network to prevent trafficking of women from Central and Eastern Europe.

Other relief organizations are Atalantas (set up by victims), Bonded Labor Netherlands (BlinN - individual guidance of victims), IOM (assistance for safe return/reintegration), JOS (legal assistance), the SRTV Foundation of Religious against TIP (information campaigns in native countries), Uitzicht (providing shelter for victims not wanting to press charges), and TAMPEP (protection of victims, training programs). In addition, there are various joint ventures, for instance aimed at safe return and improvement of joint cooperation.

Special projects for underage victims are Asja, ECPAT/DCI (combating sexual exploitation of children), the "loverboy" project in Zwolle, Pretty Woman (ambulatory assistance to prevent and support underage prostitutes, Prostitution/Social Work Humanitas in Rotterdam (prevention, fieldwork and resocialization), Foundation Nigerian Women Association Netherlands (helpdesk for African victims), and Scarlet Cord (prevention of underage girls/asylum seekers. The Platform on Youth Prostitution has been arguing for the establishment of an expertise center to collect information about nature and size of underage prostitution. (In 2004, the Government decided to do so).

The Association of Brothel Operators (VER) drafted a Code of Conduct for trafficking in people, which was endorsed by all members and associated companies. The Code rejects all forms of TIP, coercion and employment of minors in prostitution. Suspicions of violations will be reported to the proper authorities (at least via the Anonymous Crime Hotline), and victims will be informed about assistance programs. The Code is hung in the premises; personnel,

prostitutes and clients are informed of the Code and what's expected from them. The VER has called on other legal entrepreneur in the prostitution sector to sign the Code and act accordingly.

Problems Signaled by Relief Workers

Relief workers as well as the police signaled a shortage of shelters in 2002, which was due partly to the fact that not all shelters took in TIP victims, or just limited numbers, because these victims were considered a difficult target group. Ultimately, accommodation was found, but it often was time-consuming. From a point of view of protecting victims and personnel, relief workers sometimes feared criminal TIP networks. Bonded Labor Netherlands (BlinN) concluded that relief workers and victims often were not aware of possibilities for training and education for victims. Victims also appeared to disappear from shelters to go back into prostitution. Generally, they had come to the Netherlands temporarily to make money. However, many victims preferred to remain in the Netherlands for all sorts of reasons. This made it difficult for relief workers to start a "safe return" procedure. The NRM concluded that cooperation among institutions and the police was satisfactory.

TIP in Specific Prostitution Sectors

Street-Walking Zones

Many local government closed or will close special street-walking zones (originally meant for addicted prostitutes), mostly because of increasing presence of illegal prostitutes. Relief organizations were worried these women would go underground making it more difficult to control. Relief organizations also criticized the "sweep" actions in these zones, during which illegal aliens were deported without properly identifying possible TIP victims.

Escort Sector

Escort companies do not need a permanent address, which makes it difficult to control, particularly if they only advertise through mobile phones or the Internet. The police developed new investigation instruments, such as the "hotel room" procedure, with which dates are made with escort prostitutes in order to check whether licensing conditions are met.

TIP Before and After Legalization of Brothels

According to the NRM, the effect of lifting the ban on brothels cannot be measured, mostly because the TIP situation was not known before this date. Secondly, not all local governments had implemented the law at the same date. In any case, the conclusion that the lifting of the brothel ban has led to more trafficking is false. In the past, TIP occurred in all prostitution sectors, whereas currently brothels appear to be free of criminal excesses. However, various studies have noted some shift to illegal, non-regulated sectors, which are difficult to control. According to the NRM, this does not mean that there is more people trafficking now than before the ban. On the contrary, it probably is less, because not every customer "fancies" the illegal business.

On a number of points, the NRM made a comparison of the years before (1998/99) and after (2001/02) the new legislation. For instance, the number of police investigations after the lifting (79) was much higher than before (37); the number of cases against one suspect registered with the prosecutor rose from 237 before to 331 after; the number of STV-registered victims rose from 515 to 627; and the number of victims/witnesses using B-9 rose from 107 to 249. According to the NRM, the figures show that police and prosecutors have worked hard to combat TIP, despite capacity shortages.

Summary of Recommendations

The NRM report includes a summary of recommendations, warning that they should not be taken out of context from the extensive descriptions in the separate chapters and from the recommendations in the first NRM report. According to the NRM, these recommendations are meant as a "helping hand" to the Government. (COMMENT: Since the report mainly covers 2002, many of the recommendations are already being implemented, or have been included in the Government's recent prostitution action plan (Reftel A).)

The NRM recommends:

Legislation and Regulation

1. Dutch criminal law be adjusted rapidly to the UN TIP protocol and the EU framework decision on TIP.

12. The specific nature and seriousness of exploitation for sexual purposes be more clearly defined compared to exploitation in other social-economic sectors.
13. The definition of "exploitation" in labor (outside the prostitution sector) be more clearly defined, and not only left to judges.
14. The Government take an outspoken stand about combating TIP primarily in the context of human rights.
15. The Government indicate whether the EU framework decision on the status of victims in criminal procedures has led to adjustments in Dutch laws and regulations and, if so, how.
16. The Government indicate which direction it wants to take in banning work permits for the prostitution sector as laid down in the Law on Alien Labor (WAV).
17. The Government create clarity about (future) conditions for opening up the Dutch labor market in the prostitution sector for new EU-subjects, with respect to paid employment (in comparison to self-employment).
18. The Government sound out internationally whether modern slavery in the sense of the UN protocol also relates to "old" slavery.
19. The Government invest in a broad discussion about the possibility to penalize customers knowingly using the services of forced prostitutes.

B-9 Scheme

10. When expanding the B-9 scheme to all TIP victims, differentiate assistance to victims as to the nature of trafficking. This also applies to the new regulation allowing victims to work.
11. Structural measures be taken to prevent the B-9 scheme from not being applied (e.g. during "sweep" actions of illegal immigrants), particularly with respect to offering victims time to reflect.
12. Shelter and assistance not only be made available to victims wanting/considering pressing charges.
13. All organizations involved in implementing the B-9 scheme be informed about their tasks.
14. Victims be informed fully and early about rights and possibilities offered by the B-9 scheme, and be kept informed about procedural developments (as far as social security, criminal and immigration procedures are concerned).
15. There be sufficient possibilities for concrete and adequate legal assistance to victims.
16. There be a central point, which is to make an inventory of problems encountered in the implementation of B-9, render advice and, if necessary, to intervene.

TIP Victims

17. The Government's efforts to protect victims be expanded to countries outside the Netherlands, either through bilateral or multilateral agreements.
18. Risk assessments and minimum conditions be made to the safe return of victims. If deportation is unjustified, the possibility should be created for extended residence in the Netherlands and continued assistance.
19. Structural attention be paid to the safety of women and Ama's in asylum centers. Incidents, such as recruitment for prostitution and departure with unknown destination should be prevented and, on discovery, registered.
20. Ama's guided by relatives or friends not be brought under the responsibility of these (distant) relatives without proper controlling these persons' reliability.

Assistance

21. There be more structural financing of organizations engaged in sheltering, guidance and assisting TIP victims.
22. Identification of victims, particularly of minors, be improved. Special training in TIP problems.
23. Ways be found to pass on TIP information, which is available by relief organizations, to the police.
24. Also in the case of foreign TIP victims, attention be paid to the use of "loverboy" techniques and the consequences thereof.
25. Relief organizations submit a proposal to the Government considering the pros and cons of creating separate shelters for TIP victims (separate from shelters for battered women).
26. Assistance be provided to victims in B-9 in finding work and guiding them in this work.

Research and Registration

27. A central registration be realized of all TIP victims.
28. An accurate, current registration be set up of all available shelters accessible to all organizations engaged in placement of victims. If necessary, extra shelters should be created. Special attention should be paid to shelter possibilities for underage victims.
29. Research be initiated or facilitated into (reasons for) departure of victims from shelters and experiences of

victims on return to their native countries.

- ¶30. Other countries be pressed into appointing national rapporteurs.

General Law Enforcement

- ¶31. Repression not be set against prevention, and not be set against a humanitarian/human rights-oriented approach.
- ¶32. Prostitution policy be clearly shaped and implemented, and any shortcomings should be repaired.
- ¶33. National surveys be made of the results of administrative controls and (possible) administrative intervention in the prostitution sector, in order to get a better idea about the frequency of these controls and number of victims.
- ¶34. It be investigated to what extent administrative measures against a mala fide brothel operator in one city can be used in assessing a license request by the same operator in another city.
- ¶35. Attention be paid particularly on implementation of new (international) regulations, rather than on new laws.
- ¶36. Capacity of police and justice in the fight against TIP be expanded.
- ¶37. There be stringent and adequate administrative enforcement of the legalized prostitution sector.
- ¶38. If administrative controls in the escort sector appear not to be (sufficiently) effective or require extreme capacity, a simpler system of regulation and control be found.
- ¶39. The central government bear responsibility in the objectives of the lifting of the ban on brothels, certainly as far as TIP is concerned, and not shift this to local governments.
- ¶40. The Government make a fundamental statement about whether or not the measuring rule in the law enforcement of cross-border organized forms of people trafficking should not be placed higher than the national standard, and promote international cooperation.
- ¶41. The Government further develop the idea of a European criminal zone, particular for combating TIP.

Police Investigations

- ¶42. The priority given by the police to TIP investigations be applied in practice by all regional forces.
- ¶43. Investigations focus more on "facilitators."
- ¶44. Investigations be increased, also without victims pressing charges, with which use should be made of the computerized police information system (IGO).
- ¶45. Special focus on the group of prostitutes who have just turned 18.
- ¶46. TIP victims be enabled to press charges as well and rapidly as possible.
- ¶47. Financial investigations in TIP cases be expanded.

Prosecutions

- ¶48. A more national coordination in order to realize priorities attached to TIP in all regions.
- ¶49. Prosecutors indicate more actively what is needed to enforce the criminal ban on TIP.
- ¶50. Restrictions in international cooperation be made more visible.
- ¶51. More efforts made in seizing illegally obtained profits.

Other Recommendations

- ¶52. National prostitution be explained better abroad and in international context, and national policy to combat TIP be better propagated.
- ¶53. Duplication be avoided in national and international initiatives in the field of training, scientific research and data collection through better communication and information.
- ¶54. The expansion of the TIP definition in the Penal Code be anticipated for the sake of measures to be taken.
- ¶55. The consequences of the expansion of the TIP definition for law enforcement be anticipated.
- ¶56. More attention be paid to TIP training, including structural training of members of the judiciary.
- ¶57. A formal decision be taken on an expansion of the areas to be focused on by the NRM.

Repeated Recommendations

- ¶58. A specific procedure be developed for the category of victims, who are currently excluded from the reflection time for not yet having worked in Dutch prostitution.
- ¶59. Cooperation be improved between the prosecutor's office and the Immigration and Naturalization Service (IND) in the implementation of the B-9 scheme, as promised before.
- ¶60. A public information campaign be started by the central government with respect to prostitution and TIP, aimed at prevention.
- ¶61. Special attention be paid to information to (potential)

customers of prostitutes to make them aware of signs of TIP victims and the existence of the anonymous crime reporting line.

- ¶62. The scope and impact of a Second Chamber resolution (banning controlled access of victims in the interest of criminal investigations) on the judicial practice be given further and wider consideration. (The Cabinet has banned this investigation method, because human dignity is at take.)
- ¶63. The extra capacity of police and justice in investigations of the illegal sector not go at the cost of administrative controls in the legal sector.

SOBEL